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4 Attorney For Defendant JUAN ONTIVEROS-PALOMARES
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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10 (HONORABLE JANIS SAMMARTINO)

11 UNITED STATES OF AMERICA,)	Crim. Case No. 08CR1548-JLS
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12)	
Plaintiff,)	STIPULATION TO FILE DISCOVERY
13)	MOTIONS AND FOR CONTINUANCE
v.)	OF MOTION HEARING
14)	
JUAN ONTIVEROS-PALOMARES,)	
15)	
Defendant.)	
16)	
17)	

18 COMES NOW, United States of America, by and through its
19 attorney of record, (former?) Assistant U.S. Attorney, JEFF MOORE,
20 and Juan Ontiveros-Palomares, by and through his attorney of record,
21 James Matthew Brown, APLC and hereby stipulate as follows.

22 The government has provided discovery without the necessity
23 discovery motions. Additional discovery may be warranted and will
24 require the filing of discovery motions. The basis for this
25 statement is the defendants mental status which has recently been
26 evaluated. Counsel for the defendant has just recently concluded a
27 wrongful death trial before the Honorable Steven Denton, Judge of
28 the Superior Court and has, therefore, been delayed in determining

1 what assistance, if any, Mr. Ontiveros can provide.

2 It is also the parties intention to file the attached discovery
3 motions so as to toll the speedy trial act and allow the parties to
4 proceed with plea negotiations and ultimately enter a plea before
5 the Magistrate Judge. The parties intend on meeting to facilitate
6 that process and to satisfy the requirements of the United States
7 Sentencing Guidelines.

8 As such the parties stipulate to the filing of the attached
9 Motion For Discovery/Preserve Evidence and Leave to File Additional
10 Motions.

11 The matter is presently set for motion hearing/trial setting
12 on August 15, 2008 at 9:00 p.m. before the Honorable Janis
13 Sammartino, United States District Court Judge.

14 At said time and place the parties will request a continuance
15 of the motion hearing date to a time convenient to the court in
16 order to pursue the course outlined above. The parties further
17 stipulate to continue said hearing to August

18 Therefore, the parties stipulate the above discovery motion
19 trial setting hearing date should be continued and the attached

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1 Motion for Discovery/Preserve Evidence and Leave to File Additional
2 Motions be filed for the reasons described.

3 IT IS SO STIPULATED.

4 DATED: 8/14/2008

LAW OFFICES OF JAMES MATTHEW BROWN, APLC

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6 By: S/James Matthew Brown
James Matthew Brown, APLC
7 Attorney for Defendant

8 DATED: 8/14/2008

UNITED STATES ATTORNEY

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10 By: S/Jeff Moore
Jeff Moore, Esq.
11 Attorney for Plaintiff
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